

REMARKS

With this Amendment, Applicant cancels Claims 2 and 4. Therefore, Claims 1, 3, and 5-19 are all the claims currently pending in the present application.

Formalities

Applicant thanks the Examiner for acknowledging Applicant's claim to foreign priority and the receipt of the certified copies of the priority documents.

Allowable Subject Matter

The Examiner indicates that Claims 5-13, 17, and 18 include allowable subject matter and would be allowed if rewritten into independent form, including the limitations of the claims from which they depend. Applicant respectfully requests that the rewriting of these claims be held in abeyance until the Examiner has considered the below-presented arguments.

Claim Objections

Claims 1 and 19 stand objected to due to informalities. Claims 3 and 5-18 stand objected to by virtue of their dependence on Claim 1. With this Amendment, Applicant amends Claims 1 and 19 and respectfully requests that the objection to these claims be reconsidered and withdrawn.

Claim Rejections

Claims 1-4, 14-16 and 19 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Otsuki, U.S. Patent Publication No. 2002/0070991 ("Otsuki '991"), in view of Otsuki, U.S. Patent Publication No. 2002/0070994 ("Otsuki '994"). As discussed above, Claims 2 and 4 are cancelled.

Regarding independent Claims 1 and 19, Applicant submits that both Otsuki '991 and Otsuki '994 fail to teach or suggest making a nozzle in a most upstream direction and nozzles a predetermined distance from the most upstream nozzle stop ejecting liquid, as recited. In other words, neither Otsuki '991, nor Otsuki '994 teach or suggest changing the number of nozzles that eject liquid.

Otsuki '991. On page 4 of the Office Action, the Examiner states that when Figures 16 and 40 of Otsuki '991 are compared, as paper is fed, more nozzles are disabled to prevent printing on the platen. However, Figure 16 illustrates details of the lower-edge feeding of a comparative example of the first embodiment. (Para. [0099], [0141], and [0156]) On the other hand, Figure 40 illustrates details of the lower edge feeding of a third embodiment. When Figure 16 and 40 are compared, it is apparent that the mechanical structure is different. For example, eight nozzles are shown in Figure 16, where eleven nozzles are shown in Figure 40.

In Figure 16, nozzle no. 1 and nozzle no. 2 are used when images are printed in the lower edge portion of the printing paper P. When images are printed in the lower-edge portion of the printing paper P, the number of nozzles that eject liquid does not change; there is no teaching or suggestion otherwise in this or any other embodiment.

In Figure 40, nozzle no. 7 and nozzle no. 8 are used when images are printed in the lower-edge portion of the printing paper P. Again, in this embodiment, when images are printed in the lower-edge portion of the printing paper P, the number of nozzles that eject liquid does not change, and there is no teaching or suggestion otherwise in this or any other embodiment.

Otsuki '994. In Otsuki '994, in the first embodiment, nozzle no. 7 and nozzle no. 8 are used when the images are printed in the lower-edge portion PR of the printing paper P. (Para. [0132]). In the second embodiment, nozzle no. 7 and nozzle no. 8 are used when the images are printed in the lower-edge portion PR of the printing paper P. (Para. [0154]). Therefore, as in Otsuki '991, when a printer as described in Otsuki '994 prints a portion of a medium that is positioned on a upstream side in a feed direction (i.e. a lower edge), the number of nozzles that eject liquid does not change.

Therefore, in view of the above, Applicant submits that Claims 1 and 19 are patentable over the cited combination of references and that Claims 3 and 14-16 are patentable at least by virtue of their dependence on Claim 1. Thus, Applicant respectfully requests that the rejection of Claims 1, 3, 14-16 and 19 be reconsidered and withdrawn.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Application No. 10/612,394

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